



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Application No.:	09/922,811	Examiner:	Cam Y. T. Truong
Filing Date:	August 7, 2001	Art Unit:	2162
First Inventor:	Francis DE SMET	Customer No.:	23364
Attorney No.:	DESM3001/JEK/JJC	Confirm. No.:	8897
For:	METHOD FOR SEARCHING INFORMATION ON INTERNET		

APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is an appeal brief filed pursuant to the applicant's appeal to the Board of Patent Appeals and Interferences from the rejection of claims 1-4, 6-8, 10, and 13-16 in the above identified application.

The filing of this appeal brief is made concurrently with the filing of the Notice of Appeal and is therefore timely.

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I. REAL PARTY IN INTEREST

The real party in interest is Francis De Smet (Assebroek, Belgium).

II. RELATED APPEALS AND INTERFERENCES

There are no other appeals or interferences which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

III. STATUS OF CLAIMS

A. Status of Claims in Proceeding

Claims 1-4, 6-8, 10, and 13-16 are currently pending and rejected in the above-identified application.

B. Identification of Appealed Claims

Applicants chose to appeal from the rejection of only independent claim 1.

Claims 2-4, 6-8, 10, and 13-16 depend from claim 1, and their patentability is based on their dependency from claim 1 and their individually recited features.

A copy of all the pending claims as presented in the last entered amendment dated August 28, 2006 is included in the attached Appendix I.

IV. STATUS OF AMENDMENTS

There are no pending amendments of the claims. The last amendment was filed on August 28, 2006 of which entry was acknowledged in the Office action dated September 28, 2006.

V. SUMMARY OF CLAIMED SUBJECT MATTER

For the purposes of appeal, only the rejection of independent claim 1 is appealed. The remaining pending claims depend from claim 1.

Claim 1 recites a method for searching information on the Internet (30) (Figures 1-7; page 1, lines 7-9; page 3, lines 31-34. The method comprises the steps of:

Providing a computer (35) linked to the Internet (Figure 7; page 4, line 34; page 7, lines 5-6);

Accessing at least one search assistant (2) via a web browser (14) on the computer linked to the Internet to search for information on the Internet (Figures 1 and 4; page 12, lines 13-19), wherein the at least one search assistant is human and a specialist in searching on the Internet (page 4, lines 1-4, 6-7, and 14-16; page 7, lines 6-7; page 9, lines 1-2, 13-14, and 23; page 15, line 25);

Conducting a dialogue with the at least one human search assistant over the Internet and in real time to formulate a first information request(3) (Figures 1, 2, and 4; page 4, lines 23-24, and 26-28; page 7, lines 25-28, and 33-36; page 12, lines 13-19; page 14, lines 1-2); and

Transmitting the first information request over the Internet to the at least one human search assistant (Figures 1-6; page 4, lines 23-24, and 26-28; page 7, lines 25-28, and 33-36; page 12, lines 13-19; page 14, lines 1-2);

Wherein the at least one human search assistant includes one or more head human search assistants (2A), the one or more head search assistants having below them a number of specialized adjunct human search assistants (2B) who each is specialized in one or more fields (Figures 1-4; page 5, lines 7-8, and 15-18; page 7, lines 9-13, and 25-27);

Wherein the one or more head human search assistants direct the first information request to an appropriate one of the specialized adjunct human search assistants who then reformulates the first information request into an adapted

information request (4) associated with the first information request (Figures 1, 2, and 4; page 5, lines 19-21; page 7, line 35 through page 8, line 1; page 8, lines 11-15);

wherein the at least one human search assistant applies the adapted information request on at least one search robot (5) for accessing information related to the first information request (Figures 1-4 and 6; page 4, lines 20-21; page 9, lines 8-11; page 11, lines 13-14, and 20-21; page 12, lines 21-24), the adapted information request being placed through an Internet Service Provider (16) which communicates search results (6) obtained by the at least one search robot to the at least one human search assistant via a web browser (14) (Figures 4 and 6; page 11, lines 13-18; page 12, lines 21-26; page 14, lines 6-9), the at least one human search assistant offering a user a selection of the search results (7) in order for the user to make a first information selection based on the first information request displayed via the web browser (Figures 1-4 and 6; page 9, lines 22-26; page 12, lines 10-11, and lines 24-27).

VI. GROUND OF REJECTION TO BE REVIEWED ON APPEAL

Claim 1 stands rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the enablement requirement.

Further, claims 1-3, 6-10, 13, and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent no. 6,393,423 (*Goedken*) in view of U.S. patent no. 6,377,944 (*Busey et al.*) in view of U.S. patent no. 5,594,791 (*Szlam*) and further in view of U.S. patent no. 6,487,553 (*Emens*). The rejection of claims 2, 3, 6-10, 13, and 16 is not addressed herein since only the independent claim 1 is appealed.

Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent no. 6,393,423 (*Goedken*) in view of U.S. patent no. 6,377,944 (*Busey et al.*) in view of U.S. patent no. 5,594,791 (*Szlam*) in view of U.S. patent no. 6,487,553 (*Emens*) and further in view of U.S. patent no. 6,366,906 (*Hoffman*). The rejection of claim 4 is not addressed herein since only the independent claim 1 is appealed.

Claims 14 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent no. 6,393,423 (*Goedken*) in view of U.S. patent no. 6,377,944 (*Busey et al.*) in view of U.S. patent no. 5,594,791 (*Szlam*) in view of U.S. patent no. 6,487,553 (*Emens*) and further in view of U.S. patent no. 6,393,423 (*Ng*). The rejection of claims 14 and 15 is not addressed herein since only the independent claim 1 is appealed.

Further still, claims 1-3, 6-10, 13, and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent no. 6,393,423 (*Goedken*) in view of U.S. patent no. 6,377,944 (*Busey et al.*) in view of U.S. patent no. 6,493,695 (*Pickering et al.*) and further in view of U.S. patent no. 6,487,553 (*Emens*). The rejection of claims 2, 3, 6-10, 13, and 16 is not addressed herein since only the independent claim 1 is appealed.

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6,487,553 (*Emens*) and further in view of U.S. patent no. 6,366,906 (*Hoffmann*). The rejection of claim 4 is not addressed herein since only the independent claim 1 is appealed.

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VII. ARGUMENT

As discussed in detail below, the basis for the rejection of claim 1 does not amount to a *prima facie* case of a lack of enablement or obviousness for the combination of subject matter recited in the rejected claim. Therefore, reversal of the rejection of claim 1 is respectfully requested.

Since pending claims 2-4, 6-8, 10, and 13-16 depend from claim 1, a reversal of the rejection of claim 1 necessitates a reversal of the rejections of claims 2-4, 6-8, 10, and 13-16.

A. Claim Rejections

Claim 1 in this application is rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the enablement requirement.

Claim 1 in this application is also rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent no. 6,393,423 (*Goedken*) in view of U.S. patent no. 6,377,944 (*Busey et al.*) in view of U.S. patent no. 5,594,791 (*Szlam*) and further in view of U.S. patent no. 6,487,553 (*Emens*).

Claim 1 in this application is further rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent no. 6,393,423 (*Goedken*) in view of U.S. patent no. 6,377,944 (*Busey et al.*) in view of U.S. patent no. 6,493,695 (*Pickering et al.*) and further in view of U.S. patent no. 6,487,553 (*Emens*).

B. Pertinent Law

The following sections discuss the pertinent law with respect to the rejections under appeal.

i. 35 U.S.C. § 112, first paragraph

In rejecting claims under 35 U.S.C. § 112, first paragraph, the initial burden is on the Patent Office to establish a reasonable basis to question the enablement provided by the specification. *In re Wright*, 999 F.2d 1557, 1562, 27 USPQ2d 1510, 1513 (Fed. Cir. 1993).

The proper test to determine enablement is whether any person skilled in the art can make and use the invention without undue experimentation. *Mineral Separation v. Hyde*, 242 U.S. 261, 270 (1916); *In re Wands*, 858 F.2d 731, 737, 8 USPQ2d 1400, 1404 (Fed. Cir. 1988).

There are at least eight factors that must be analyzed to make a finding of non-enablement. *In re Wands*, 858 F.2d at 737, 8 USPQ2d at 1404 (Fed. Cir. 1988). While it is not necessary to discuss every factor, the language of the rejection should focus on the factors, reasons, and *evidence* that lead the Office “to conclude that the specification fails to teach how to make and use the claimed invention without undue experimentation” (MPEP §2164.04, underlining in original). The analysis can be done “by making specific findings of fact, supported by evidence, and then drawing conclusions based on these findings of fact” (MPEP §2164.04). In a situation where the Office alleges there is missing information in the specification, the Office “should specifically identify what information is missing *and why one skilled in the art could not supply the information without undue experimentation*” (MPEP §2164.04, emphasis added).

ii. 35 U.S.C. § 103(a)

In rejecting claims under 35 U.S.C. § 103(a), it is incumbent upon the examiner to establish a factual basis to support the legal conclusion of obviousness. See *In re Fine*, 837 F.2d 1071, 1073, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988). In so doing, the examiner is expected to make the factual determinations set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 17, 148 USPQ 459, 467 (1966), and to provide a reason why one having ordinary skill in the pertinent art would have been led to modify the prior art or to combine prior art references to arrive at the claimed invention. Such reason must stem from some teaching, suggestion or implication in the prior art as a whole or knowledge generally available to one having ordinary skill in the art. *Uniroyal, Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 1051, 5 USPQ2d 1434, 1438 (Fed. Cir. 1988).

The showings by the examiner are an essential part of complying with the burden of presenting a *prima facie* case of obviousness. See *In re Oetiker*, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992). If that burden is met, the burden then shifts to the applicant to overcome the *prima facie* case with argument and/or evidence. Obviousness is then determined on the basis of the evidence as a whole. See *id.*; *In re Hedges*, 783 F.2d 1038, 1039, 228 USPQ 685, 686 (Fed. Cir. 1986).

To establish *prima facie* obviousness of a claimed invention, all of the claim limitations must be taught or suggested by the prior art. See *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). In practice, this requires that there be an explanation as to the reasons one skilled in the art would have been motivated to select the references and to combine them to render the claimed invention obvious. *In re Rouffet* 149 F.3d 1350, 1357-59 (Fed. Cir. 1998). It follows that all of the words recited in a claim must be considered in judging the patentability of that claim against the prior art. *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970).

C. The rejection fails to establish a *prima facie* case of lack of enablement with respect to claim 1

Reversal of the rejection of claim 1 is respectfully requested on the basis that the rejection fails to establish a *prima facie* case of lack of enablement.

The rejection fails to comply with any of the legal requirements for establishing a *prima facie* case of lack of enablement.

The rejection makes no mention of the requirement that the specification must enable a skilled artisan to make and use the invention without undue experimentation. The rejection further fails to analyze or discuss even a single one of the eight factors to be considered in order to make a determination of undue experimentation.

The rejection makes no findings of fact that are supported by evidence, and instead relies upon unsupported assertions. While the rejection does point to specific language that is included in the specification, the rejection fails to point out what

information is missing, and why a skilled artisan would not be able to supply the missing information without undue experimentation.

Furthermore, the function and relationships of the human search assistants are clearly explained in detail in the specification at least on page 5, lines 7-30, and page 7 line 33 through page 8, line 1. According to the specification, several human search assistants may operate on a single Internet site. Of the several human search assistants, one or more may be head search assistants who have specialized adjunct search assistants below them who each may be specialized in one or more fields. The head search assistant may discuss a request with a user and transmit or direct the request to the most suited specialized adjunct search assistant.

In the absence of any evidence to the contrary, the specification, as summarized above, provides enough information for a skilled artisan to make and use the invention without undue experimentation.

Therefore, since the rejection fails to establish a *prima facie* case of lack of enablement, reversal of this rejection is respectfully requested.

D. The combination of the *Goedken*, *Busey*, *Szlam*, and *Emens* patents does not amount to a *prima facie* case of obviousness of claim 1

The discussion below is focused on the method steps of independent claim 1. The dependent claims 2-4, 6-8, and 13-16 stand or fall with independent claim 1.

Reversal of the rejection of claim 1 is respectfully requested on the basis that the *Goedken*, *Busey*, *Szlam*, and *Emens* patents, whether considered individually or collectively, fail to disclose or suggest every limitation of the method for searching information on the Internet according to claim 1.

As will be further discussed below, none of the cited patents disclose a method for searching information on the Internet including the steps of conducting a dialogue with at least one human search assistant to formulate a first information request, transmitting the first information request over the Internet to the at least one human search assistant, wherein the at least one human search assistant includes one or more

head human search assistants having below them a number of specialized adjunct human search assistants, the one or more head human search assistants direct the first information request to the appropriate one of the specialized adjunct human search assistants who then reformulates the first information request into an adapted information request associated with the first information request and applies the adapted information request on at least one search robot.

Further, as will also be discussed below, none of the cited patents provides a suggestion that would have motivated a skilled artisan to perform the method for searching information on the Internet including the steps of conducting a dialogue with at least one human search assistant to formulate a first information request, transmitting the first information request over the Internet to the at least one human search assistant, wherein the at least one human search assistant includes one or more head human search assistants having below them a number of specialized adjunct human search assistants, the one or more head human search assistants direct the first information request to the appropriate one of the specialized adjunct human search assistants who then reformulates the first information request into an adapted information request associated with the first information request and applies the adapted information request on at least one search robot.

Accordingly, claim 1 is patentable in view of the combination of teachings of the *Goedken*, *Busey*, *Szlam*, and *Emens* patents, since the combination of these references does not constitute a case of *prima facie* obviousness.

The shortcomings and deficiencies of each of the cited patents, both alone and in combination with each other, will be discussed below, beginning with the *Goedken* patent, which is the primary reference.

i. *Goedken* patent

One of ordinary skill in the art would not be motivated to use the method for searching information on the Internet according to claim 1 in view of the teachings of the *Goedken* patent, in combination with the *Busey*, *Szlam*, and *Emens* patents, on the basis that the *Goedken* patent does not disclose or suggest a method for searching

information on the Internet including the steps of conducting a dialogue with at least one human search assistant to formulate a first information request, transmitting the first information request over the Internet to the at least one human search assistant, wherein the at least one human search assistant includes one or more head human search assistants having below them a number of specialized adjunct human search assistants, the one or more head human search assistants direct the first information request to the appropriate one of the specialized adjunct human search assistants who then reformulates the first information request into an adapted information request associated with the first information request and applies the adapted information request on at least one search robot which communicates the search results of the search to the at least one human search assistant who offers a user a selection of the search results.

The *Goedken* patent generally describes an apparatus and a method for electronic information exchange between an information requestor and one or more information custodians (col. 8, lines 46-50). The information sought is either stored in an information database, or is within the knowledge of an information custodian (col. 1, lines 41-43; col. 6, lines 1-23).

An information requestor creates an information request message and sends the *composed* message over the network to *an apparatus* (col. 8, lines 55-68). Once the apparatus receives the composed message, it then selects an appropriate information custodian who knows certain information based upon predetermined categories and sends an answer request over the network to the selected information custodian (col. 8, lines 58-66).

The information custodian then replies to the request by providing an intermediate answer to the request or by sending a reroute message back to the apparatus if they feel unqualified to answer the question (col. 8, line 66 through col. 9, line 4).

An automated database manager may store the intermediate answers and the associated requests in a knowledge database (col. 19, lines 49-52). When subsequent

requests are received by the apparatus, the automated database manager may search the knowledge database to determine if an answer already exists (col. 19, lines 53-58). If the answer exists the automated database manager forwards the answer to an automated message composer that formats and sends a final answer to the requester (col. 19, lines 58-62). Only if no preexisting answer is found, the automated database manager may then forward at least a portion of the information request to an selector and/or a message composer so that an answer request may be prepared and routed to one or more information custodians (col. 20, lines 1-7).

In order to facilitate accurate storage and/or retrieval of the intermediate answers in the knowledge database, the information custodians or the information requestors may include question synonyms in their messages (col. 20, lines 32-35). For example, a user may include multiple questions in their information request. Also, an information custodian may include a question synonym in the answer, such that the answer is stored and associated with both questions in the knowledge database, or may amend the question in the answer, such that the answer is stored with the amended question (col. 20, lines 36-41).

The database manager of the *Goedken* patent effectively serves as an automated filter for any information request. According to this patent, it is very possible that a search request may never reach an information custodian, and even if the request does reach the information custodian, there is no direct interaction between the information custodian and the user. Moreover, the knowledge database from which answers to an information request may be extracted is not a part of the Internet, but rather a self-contained, finite, searchable database.

Thus, from the disclosure of the *Goedken* patent, it is clear that an automated system is provided for answering or routing requests to an information custodian. Thus, in contrast to pending claim 1, the *Goedken* patent fails to disclose conducting a dialogue with at least one human search assistant over the Internet in real time. Further, since the information requests are sent as a composed message to an apparatus, there is no dialogue with the at least one human search assistant to

formulate a first information request. Instead, the requester must formulate and compose the request without the aid of a human search assistant.

Further, the *Goedken* patent fails to disclose one or more head human search assistants who direct the first information request to an appropriate specialized adjunct human search assistant who then reformulates the first information request into an adapted information request. Since the first information request must be formulated prior to being submitted to the specialized adjunct human search assistant, the dialogue with the at least one human search assistant must necessarily be conducted prior to the specialized adjunct human search assistant reformulating the first information request into an adapted information request.

In contrast, the automated apparatus of the *Goedken* patent simply forwards the composed information request to an information custodian who supplies an answer, or the automated database manager searches the knowledge database to find an existing answer. As discussed above, the information custodian may include a question synonym with their answer, however, the question synonym is included with the *answer*, and not used to reformulate the first information request into an adapted information request.

Still further, the *Goedken* patent fails to disclose the specialized human search assistant searching the adapted information request on the Internet. Instead, the automated database manager searches the knowledge database, or the information custodian supplies the answer directly in response to the information request, since the information custodian has the specific knowledge required to answer the question. The information custodians may search the knowledge database themselves, however, if the information custodian feels unqualified to answer the question, they simply direct the information request back to the automated apparatus for rerouting to another information custodian.

Even further still, the *Goedken* patent fails to disclose the at least one human search assistant offering the user a selection of search results so that the user may make a first information selection based upon the selected search results. Instead, the

information requester is presented the answer from the knowledge database associated with their particular question or question synonyms, or the answer provided by the information custodian.

It is clear that the automated features of the *Goedken* patent, specifically the database manager, are an important and vital aspect to the method and apparatus disclosed. While a human being could perform the tasks that the automated database manager performs, the automated database manager is much more efficient than would be a human database manager, and can perform many more tasks in a given time period than a human database manager. In fact, these types of applications are very suitable for automation, since it requires numerous repetitive tasks.

For example, for each information request submitted, the entire knowledge database must be searched for an appropriate answer, thus requiring the knowledge database to be searched repeatedly over and over. Due to the major improvement in efficiency and performance by an automated database manager versus a human database manager, a skilled artisan would not have been motivated to replace the automated database manager with a human being.

Thus, even though the *Goedken*, *Busey*, *Szlam*, and *Emens* patents may disclose human beings as part of an automated system, for the reasons just discussed, a skilled artisan would not have been motivated to replace the automated components of the *Goedken* patent with a human being, since such a substitution would reduce the functionality and efficiency the system.

Further, even if such a replacement were made, the *Goedken* patent, in combination with the *Busey*, *Szlam*, and *Emens* patents, would still fail to disclose the features discussed above with respect to the real time dialogue conducted to formulate a first information request, submitting the first information request to an appropriate specialized adjunct search assistant who formulates an adapted information request associated with the first information request and then applies the adapted information request on a search robot to search the Internet such that the specialized adjunct search assistant can offer the user a selection of the search results.

Thus, there is simply no disclosure, or suggestion, in the *Goedken* patent, or the *Busey*, *Szlam*, and *Emens* patents to provide the method of searching information on the Internet according to claim 1.

Having discussed the deficiencies of the *Goedken* patent in combination with the *Busey*, *Szlam*, and *Emens* patents, the *Busey* patent will next be discussed with respect to its specific shortcomings.

ii. *Busey* patent

One of ordinary skill in the art would not be motivated to perform the method of searching information on the Internet according to claim 1 in view of the teachings of the *Busey* patent, in combination with the *Goedken*, *Szlam*, and *Emens* patents, on the basis of the following shortcomings.

The *Busey* patent does not disclose or suggest a method for searching information on the Internet including the steps of conducting a dialogue with at least one human search assistant to formulate a first information request, transmitting the first information request over the Internet to the at least one human search assistant, wherein the at least one human search assistant includes one or more head human search assistants having below them a number of specialized adjunct human search assistants, the one or more head human search assistants direct the first information request to the appropriate one of the specialized adjunct human search assistants who then reformulates the first information request into an adapted information request associated with the first information request and applies the adapted information request on at least one search robot which communicates the search results of the search to the at least one human search assistant who offers a user a selection of the search results.

The *Busey* patent discloses a network-based customer interface that is very similar to the principles disclosed by the *Goedken* patent. A user interacts with and submits queries to an automated Web Response Unit (WRU) in order to access information on knowledge or other databases localized to the network (col. 6, lines 50-58). The customer call may be escalated to the WebACD when either the

customer or the WRU determines that the customer cannot obtain the appropriate information from the WRU (col. 6, lines 58-61; col. 7, lines 53-58). At this point the customer may be placed in a queue to talk to a live human agent or they may request a callback (col. 6, lines 58-65; col. 7, lines 53-58; col. 12, line 59 through col. 13, line2).

An agent supervisor or administrator can set the default settings for the handling mechanism such that the user can be shown certain lists of agents or matches (col. 10, lines 41-48). However, the agent supervisor or administrator does not review each instance when the customer is unable to obtain the information from the WRU, since there would be no need for the default settings otherwise. Thus, there is no "head" human search assistant who helps a user formulate a first information request and then submits the first information request to a specialized adjunct human search assistant who reformulates the first information request into an adapted information request.

Thus, similarly to the *Goedken* patent, the *Busey* patent discloses a system where the user first interacts with an automated system. In the system of the *Busey* patent, once it is determined that the user cannot obtain the desired information through the automated WRU, the user may speak with a live agent in order to obtain the requested information.

Again, this system is in contrast to the system of pending claim 1, which requires that a dialogue be conducted with at least one human search assistant in order to formulate a first information request. According to the pending claims, this step must occur before any information request is made. Once the first information request is formulated and submitted to the at least one human search assistant, the first information request is then submitted to the appropriate specialized adjunct human search assistant who then reformulates the first information request into an adapted information request.

Further, a skilled artisan would not have been motivated to replace the automated WRU with a human being for many of the same reasons discussed above

with respect to the *Goedken* patent. That is, the automated WRU can handle simultaneous calls, and many more tasks in a given time period than a human being. While a human being can perform these tasks, it is much more efficient and productive for an automated system to be used.

Thus, it is clear that, for the same reasons as discussed above with respect to the *Goedken* patent, there is no disclosure or suggestion in the *Busey* patent, or in the *Goedken*, *Szlam*, and *Emens* patents that would have motivated a skilled artisan to perform the method of searching information on the Internet according to pending claim 1.

In view of the discussions of the deficiencies of both the *Goedken* and the *Busey* patents in combination with the *Szlam* and *Emens* patents, the specific shortcomings of the *Szlam* patent will be discussed.

iii. *Szlam* patent

One of ordinary skill in the art would not be motivated to perform the method of searching information on the Internet according to claim 1 in view of the teachings of the *Szlam* patent in combination with the *Goedken*, *Busey*, and *Emens* patents on the basis of the following shortcomings.

The *Szlam* patent discloses an automated telemarketing system where an automated controller designates several queues for a telemarketing campaign (col. 9, lines 35-54). When a particular campaign is suspended or terminated, the agents are automatically reassigned to another campaign by the automated controller (col. 10, lines 55-58). The campaign to which the agents are assigned *may be* manually selected by a system administrator or may be automatically assigned by the automated controller (col. 10, lines 58-61). There are numerous calls related to each campaign, and each call is initiated by the agents working on the particular campaign.

Accordingly, the *Szlam* patent fails to disclose or suggest a method for searching information on the Internet including the steps of conducting a dialogue with at least one human search assistant to formulate a first information request,

transmitting the first information request over the Internet to the at least one human search assistant, wherein the at least one human search assistant includes one or more head human search assistants having below them a number of specialized adjunct human search assistants, the one or more head human search assistants direct the first information request to the appropriate one of the specialized adjunct human search assistants who then reformulates the first information request into an adapted information request associated with the first information request and applies the adapted information request on at least one search robot which communicates the search results of the search to the at least one human search assistant who offers a user a selection of the search results.

Further, a skilled artisan would not have been motivated by the teachings of the *Szlam* patent, or the *Goedken*, *Busey*, and *Emens* patents, to perform the method of searching information on the Internet according to claim 1, since the disclosure of the *Szlam* patent relates only to the organization and implementation of telemarketing campaigns. The only relevant teaching appears to be that administrators can assign agents to different campaigns. However, as discussed above with respect to both the *Goedken* and the *Busey* patents, a skilled artisan would not have been motivated to replace the automated systems of the *Goedken* and the *Busey* patents with a human being, since such a replacement would greatly decrease the efficiency and productivity of the automated systems.

In view of the discussions of the deficiencies of the *Goedken*, *Busey*, and *Szlam* patents in combination, the specific shortcomings of the *Emens* patent will next be discussed.

iv. *Emens* patent

One of ordinary skill in the art would not be motivated to perform the method of searching information on the Internet according to claim 1 in view of the teachings of the *Emens* patent, in combination with the *Goedken*, *Busey*, and *Szlam* patents on the basis of the following shortcomings.

The *Emens* patent discloses a method of excluding at least one prior search result from a current set of search results (col. 1, lines 62-65). In this way a *user* (not a search assistant) may limit or reduce the number of results returned during an information search session (col. 4, lines 3-5).

The *Emens* patent fails to disclose or suggest a method for searching information on the Internet including the steps of conducting a dialogue with at least one human search assistant to formulate a first information request, transmitting the first information request over the Internet to the at least one human search assistant, wherein the at least one human search assistant includes one or more head human search assistants having below them a number of specialized adjunct human search assistants, the one or more head human search assistants direct the first information request to the appropriate one of the specialized adjunct human search assistants who then reformulates the first information request into an adapted information request associated with the first information request and applies the adapted information request on at least one search robot which communicates the search results of the search to the at least one human search assistant who offers a user a selection of the search results.

Further, a skilled artisan would not have been motivated by the teachings of the *Emens* patent, or the *Goedken*, *Busey*, and *Szlam* patents, to perform the method of searching information on the Internet according to claim 1, since the *Emens* patent teaches that a user, and not a specialized adjunct search assistant, may limit results in order to conduct more limited secondary searches.

Even if a specialized adjunct search assistant were to be included as an intermediary between the user and the search results of the *Emens* patent, there is still no disclosure of a method for searching information on the Internet including the steps of conducting a dialogue with at least one human search assistant to formulate a first information request, transmitting the first information request over the Internet to the at least one human search assistant, wherein the at least one human search assistant includes one or more head human search assistants having below them a

number of specialized adjunct human search assistants, the one or more head human search assistants direct the first information request to the appropriate one of the specialized adjunct human search assistants who then reformulates the first information request into an adapted information request associated with the first information request.

In view of the discussions of the shortcomings of the *Goedken*, the *Busey*, the *Szlam*, and the *Emens* patents, the combination of all four patents will be discussed.

v. Combination of the *Goedken*, *Busey*, *Szlam*, and *Emens* patents

In view of the observations on the *Goedken*, *Busey*, *Szlam*, and *Emens* patents, it is respectfully submitted that these patents do not render pending claim 1 *prima facie* obvious on the basis of the following particulars:

(1) The combined teachings of the *Goedken*, *Busey*, *Szlam*, and *Emens* patents fail to teach each and every limitation of claim 1;

(2) there is no motivation among the *Goedken*, *Busey*, *Szlam*, and *Emens* patents, or knowledge readily known to one skilled in the art to combine the teachings of these patents to perform the method of searching information on the Internet according to claim 1; and

(3) even if the *Goedken*, *Busey*, *Szlam*, and *Emens* patents were combined, there is no reasonable expectation that the method of searching information on the Internet according to claim 1 would successfully be obtained.

Accordingly, reversal of this rejection of claim 1 is respectfully requested on the basis that the *Goedken*, *Busey*, *Szlam*, and *Emens* patents fail to establish a *prima facie* case of obviousness with respect to claim 1.

a. Failure to teach or suggest every limitation

First, the *Goedken*, *Busey*, *Szlam*, and *Emens* patents fail to disclose or suggest a method of searching information on the Internet having each and every feature required by claim 1, as discussed above with reference to each patent. In particular,

as discussed above, none of these patents disclose nor suggest a method for searching information on the Internet including the steps of conducting a dialogue with at least one human search assistant to formulate a first information request, transmitting the first information request over the Internet to the at least one human search assistant, wherein the at least one human search assistant includes one or more head human search assistants having below them a number of specialized adjunct human search assistants, the one or more head human search assistants direct the first information request to the appropriate one of the specialized adjunct human search assistants who then reformulates the first information request into an adapted information request associated with the first information request.

It is well understood that in assessing differences, section 103 specifically requires consideration of the claimed invention “as a whole”, and as such, consideration must be given to portions of the prior art reference that would lead away from the claimed invention. It is asserted that a skilled artisan in the field of searching information on the Internet would not have been motivated by the teachings of the *Goedken*, *Busey*, *Szlam*, and *Emens* patents, for the reasons discussed above, to perform a method for searching information on the Internet including the steps of conducting a dialogue with at least one human search assistant to formulate a first information request, transmitting the first information request over the Internet to the at least one human search assistant, wherein the at least one human search assistant includes one or more head human search assistants having below them a number of specialized adjunct human search assistants, the one or more head human search assistants direct the first information request to the appropriate one of the specialized adjunct human search assistants who then reformulates the first information request into an adapted information request associated with the first information request.

Since the *Goedken* and *Busey* patents specifically disclose automated systems, a skilled artisan would see that replacing the automated system with a human being, while possible, would greatly decrease the efficiency and productivity of the systems. Accordingly, a skilled artisan would not have been motivated to make such a change.

Therefore, reversal of this rejection of claim 1 is respectfully requested on the basis that the *Goedken*, *Busey*, *Szlam*, and *Emens* patents fail to establish a *prima facie* case of obviousness with respect to claim 1, since they do not disclose every limitation of claim 1.

b. No motivation to combine

Next, as pointed out above, there is simply no suggestion in the *Goedken*, *Busey*, *Szlam*, and *Emens* patents that would motivate one having ordinary skill in the art of searching information on the Internet to perform the method steps required by pending claim 1. In fact, the *Goedken* and *Busey* patents actually require an automated interface between the user and the search system, such that the user may never, or only as a last resort, speak to a human search assistant. This is in contrast to pending claim 1, which requires a user to interact with at least one human search assistant in the early stages of the search request in order to formulate a first information request that is subsequently submitted to a specialized search assistant who then reformulates the first information request into an adapted information request.

Further, the *Szlam* and *Emens* patents fail to provide the missing motivation to provide at least one human search assistant who conducts a dialogue with a user to formulate a first information request and who then submits the first information request to an appropriate specialized adjunct human search assistant who then reformulates the first information request into an adapted information request.

Thus, because there is no suggestion in the *Goedken*, *Busey*, *Szlam*, and *Emens* patents, a skilled artisan would not have been motivated to combine these patents in order to perform the method of searching information on the Internet according to claim 1.

Accordingly, reversal of this rejection of claim 1 is respectfully requested on the basis that the *Goedken*, *Busey*, *Szlam*, and *Emens* patents fail to establish a *prima facie* case of obviousness with respect to claim 1, since there is no motivation or suggestion to combine the patents.

c. No reasonable expectation of success

Lastly, even if the *Goedken*, *Busey*, *Szlam*, and *Emens* patents were to be combined there is no reasonable expectation that the proposed combination would successfully describe the method of searching information on the Internet according to claim 1.

As discussed above, none of the *Goedken*, *Busey*, *Szlam*, and *Emens* patents disclose a method for searching information on the Internet including the steps of conducting a dialogue with at least one human search assistant to formulate a first information request, transmitting the first information request over the Internet to the at least one human search assistant, wherein the at least one human search assistant includes one or more head human search assistants having below them a number of specialized adjunct human search assistants, the one or more head human search assistants direct the first information request to the appropriate one of the specialized adjunct human search assistants who then reformulates the first information request into an adapted information request associated with the first information request.

Therefore, a proposed combination of the *Goedken*, *Busey*, *Szlam*, and *Emens* patents cannot provide a method for searching information on the Internet including the steps of conducting a dialogue with at least one human search assistant to formulate a first information request, transmitting the first information request over the Internet to the at least one human search assistant, wherein the at least one human search assistant includes one or more head human search assistants having below them a number of specialized adjunct human search assistants, the one or more head human search assistants direct the first information request to the appropriate one of the specialized adjunct human search assistants who then reformulates the first information request into an adapted information request associated with the first information request.

Accordingly, reversal of this rejection of claim 1 is respectfully requested on the basis that the *Goedken*, *Busey*, *Szlam*, and *Emens* patents fail to establish a *prima*

facie case of obviousness with respect to claim 1, since there is no reasonable expectation to successfully combine the patents.

E. The combination of the *Goedken*, *Busey*, *Pickering*, and *Emens* patents does not amount to a *prima facie* case of obviousness of claim 1

The discussion below is focused on the method steps of independent claim 1. The dependent claims 2-4, 6-8, and 13-16 stand or fall with independent claim 1.

Reversal of the rejection of claim 1 is respectfully requested on the basis that the *Goedken*, *Busey*, *Pickering*, and *Emens* patents, whether considered individually or collectively, fail to disclose or suggest every limitation of the method for searching information on the Internet according to claim 1.

As will be further discussed below, none of the cited patents disclose a method for searching information on the Internet including the steps of conducting a dialogue with at least one human search assistant to formulate a first information request, transmitting the first information request over the Internet to the at least one human search assistant, wherein the at least one human search assistant includes one or more head human search assistants having below them a number of specialized adjunct human search assistants, the one or more head human search assistants direct the first information request to the appropriate one of the specialized adjunct human search assistants who then reformulates the first information request into an adapted information request associated with the first information request and applies the adapted information request on at least one search robot.

Further, as will also be discussed below, none of the cited patents provides a suggestion that would have motivated a skilled artisan to perform the method for searching information on the Internet including the steps of conducting a dialogue with at least one human search assistant to formulate a first information request, transmitting the first information request over the Internet to the at least one human search assistant, wherein the at least one human search assistant includes one or more head human search assistants having below them a number of specialized adjunct human search assistants, the one or more head human search assistants direct the first

information request to the appropriate one of the specialized adjunct human search assistants who then reformulates the first information request into an adapted information request associated with the first information request and applies the adapted information request on at least one search robot.

Accordingly, claim 1 is patentable in view of the combination of teachings of the *Goedken*, *Busey*, *Pickering*, and *Emens* patents, since the combination of these references does not constitute a case of *prima facie* obviousness.

The shortcomings and deficiencies of each of the cited patents, both alone and in combination with each other, will be discussed below, beginning with the *Goedken* patent, which is the primary reference.

i. *Goedken* patent

The specific shortcomings of the *Goedken* patent have been fully addressed above in section D.i., and will therefore not be repeated here.

As discussed above, due to the major improvement in efficiency and performance by an automated database manager versus a human database manager, a skilled artisan would not have been motivated to replace the automated database manager with a human being, even though the *Goedken*, *Busey*, *Pickering*, and *Emens* patents disclose human beings in combination with automated systems.

Further, even if such a replacement were made, the *Goedken* patent, in combination with the *Busey*, *Pickering*, and *Emens* patents, would still fail would still fail to disclose the features discussed above with respect to the real time dialogue conducted to formulate a first information request, submitting the first information request to an appropriate specialized adjunct search assistant who formulates an adapted information request associated with the first information request and then applies the adapted information request on a search robot to search the Internet such that the specialized adjunct search assistant can offer the user a selection of the search results.

Thus, there is simply no disclosure, or suggestion, in the *Goedken* patent or the *Busey*, *Pickering*, and *Emens* patents to provide the method of searching information on the Internet according to claim 1.

Having discussed the deficiencies of the *Goedken* patent in combination with the *Busey*, *Pickering*, and *Emens* patents, the specific shortcomings of the *Busey* patent will next be discussed.

ii. *Busey* patent

The specific shortcomings of the *Busey* patent are fully discussed above in section D.ii., and therefore will not be repeated here.

As discussed above, a skilled artisan would not have been motivated to replace the automated WRU with a human being for many of the same reasons discussed above with respect to the *Goedken* patent. That is, the automated WRU can handle simultaneous calls, and many more tasks in a given time period than a human being. While a human being can perform these tasks, it is much more efficient and productive for an automated system to be used.

Thus, it is clear that, for the same reasons as discussed above with respect to the *Goedken* patent, there is no disclosure or suggestion in the *Busey* patent, or in the *Goedken*, *Pickering*, and *Emens* patents that would have motivated a skilled artisan to perform the method of searching information on the Internet according to pending claim 1.

In view of the discussions of the deficiencies of both the *Goedken* and the *Busey* patents in combination with the *Pickering* and *Emens* patents, the specific shortcomings of the *Pickering* patent will next be discussed.

iii. *Pickering* patent

One of ordinary skill in the art would not be motivated to perform the method of searching information on the Internet according to claim 1 in view of the teachings of the *Pickering* patent in combination with the *Goedken*, *Busey*, and *Emens* patents on the basis of the following shortcomings.

The *Pickering* patent discloses system for processing customer interaction (abstract). The system includes a call center which may route calls to specific handling agents (col. 5, lines 10-14; col. 9, lines 50-52). A call center administrator may assign tasks to selected agents (col. 10, lines 1-12).

The *Pickering* patent does not disclose or suggest a method for searching information on the Internet including the steps of conducting a dialogue with at least one human search assistant to formulate a first information request, transmitting the first information request over the Internet to the at least one human search assistant, wherein the at least one human search assistant includes one or more head human search assistants having below them a number of specialized adjunct human search assistants, the one or more head human search assistants direct the first information request to the appropriate one of the specialized adjunct human search assistants who then reformulates the first information request into an adapted information request associated with the first information request and applies the adapted information request on at least one search robot which communicates the search results of the search to the at least one human search assistant who offers a user a selection of the search results.

Further, as discussed above in relation to the *Goedken* and *Busey* patents, none of the cited references provide a suggestion that would have motivated a skilled artisan to replace the automated system components of the *Goedken* and *Busey* patents with a human being, since such a replacement would greatly reduce the efficiency and productivity of the automated systems.

In view of the discussions of the deficiencies of the *Goedken*, *Busey*, and *Pickering* patents in combination with the *Emens* patent, the specific shortcomings of the *Emens* patent will be discussed.

iv. *Emens* patent

The specific shortcomings of the *Emens* patent are fully discussed above in section D.iv., and therefore will not be repeated here.

As discussed above, a skilled artisan would not have been motivated by the teachings of the *Emens* patent or the *Goedken*, *Busey*, and *Pickering* patents to perform the method of searching information on the Internet according to claim 1, since the *Emens* patent teaches that a user, and not a specialized adjunct search assistant, may limit results in order to conduct more limited secondary searches.

Even if a specialized adjunct search assistant were to be included as an intermediary between the user and the search results of the *Emens* patent, there is still no disclosure of a method for searching information on the Internet including the steps of conducting a dialogue with at least one human search assistant to formulate a first information request, transmitting the first information request over the Internet to the at least one human search assistant, wherein the at least one human search assistant includes one or more head human search assistants having below them a number of specialized adjunct human search assistants, the one or more head human search assistants direct the first information request to the appropriate one of the specialized adjunct human search assistants who then reformulates the first information request into an adapted information request associated with the first information request.

In view of the discussions of the shortcomings of the *Goedken*, the *Busey*, the *Pickering*, and the *Emens* patents, the combination of all four patents will be discussed.

v. Combination of the *Goedken*, *Busey*, *Pickering*, and *Emens* patents

In view of the observations on the *Goedken*, *Busey*, *Pickering*, and *Emens* patents, it is respectfully submitted that these patents do not render pending claim 1 *prima facie* obvious on the basis of the following particulars:

(1) The combined teachings of the *Goedken*, *Busey*, *Pickering*, and *Emens* patents fail to teach each and every limitation of claim 1;

(2) there is no motivation among the *Goedken*, *Busey*, *Pickering*, and *Emens* patents, or knowledge readily known to one skilled in the art to combine the teachings of these patents to perform the method of searching information on the Internet according to claim 1; and

(3) even if the *Goedken*, *Busey*, *Pickering*, and *Emens* patents were combined, there is no reasonable expectation that the method of searching information on the Internet according to claim 1 would successfully be obtained.

Accordingly, reversal of this rejection of claim 1 is respectfully requested on the basis that the *Goedken*, *Busey*, *Szlam*, and *Emens* patents fail to establish a *prima facie* case of obviousness with respect to claim 1.

a. Failure to teach or suggest every limitation

First, the *Goedken*, *Busey*, *Pickering*, and *Emens* patents fail to disclose or suggest a method of searching information on the Internet having each and every feature required by claim 1, as discussed above with reference to each patent. In particular, as discussed above, none of these patents disclose nor suggest a method for searching information on the Internet including the steps of conducting a dialogue with at least one human search assistant to formulate a first information request, transmitting the first information request over the Internet to the at least one human search assistant, wherein the at least one human search assistant includes one or more head human search assistants having below them a number of specialized adjunct human search assistants, the one or more head human search assistants direct the first information request to the appropriate one of the specialized adjunct human search assistants who then reformulates the first information request into an adapted information request associated with the first information request.

It is well understood that in assessing differences, section 103 specifically requires consideration of the claimed invention "as a whole", and as such, consideration must be given to portions of the prior art reference that would lead away from the claimed invention. It is asserted that a skilled artisan in the field of searching information on the Internet would not have been motivated by the teachings

of the *Goedken*, *Busey*, *Pickering*, and *Emens* patents, for the reasons discussed above, to perform a method for searching information on the Internet including the steps of conducting a dialogue with at least one human search assistant to formulate a first information request, transmitting the first information request over the Internet to the at least one human search assistant, wherein the at least one human search assistant includes one or more head human search assistants having below them a number of specialized adjunct human search assistants, the one or more head human search assistants direct the first information request to the appropriate one of the specialized adjunct human search assistants who then reformulates the first information request into an adapted information request associated with the first information request,

Since the *Goedken* and *Busey* patents specifically disclose automated systems, a skilled artisan would see that replacing the automated system with a human being, while possible, would greatly decrease the efficiency and productivity of the systems. Accordingly, a skilled artisan would not have been motivated to make such a change.

Accordingly, reversal of this rejection of claim 1 is respectfully requested on the basis that the *Goedken*, *Busey*, *Pickering*, and *Emens* patents fail to establish a *prima facie* case of obviousness with respect to claim 1, since they do not disclose every limitation of claim 1.

b. No motivation to combine

Next, as pointed out above, there is simply no suggestion in the *Goedken*, *Busey*, *Pickering*, and *Emens* patents that would motivate one having ordinary skill in the art of searching information on the Internet to perform the method steps required by pending claim 1. In fact, the *Goedken* and *Busey* patents actually require an automated interface between the user and the search system, such that the user may never, or only as a last resort, speak to a human search assistant. This is in contrast to pending claim 1, which requires a user to interact with at least one human search assistant in the early stages of the search request in order to formulate a first information request that is subsequently submitted to a specialized search assistant

who then reformulates the first information request into an adapted information request.

Further, the *Pickering* and *Emens* patents fail to provide the missing motivation to provide at least one human search assistant who conducts a dialogue with a user to formulate a first information request and who then submits the first information request to an appropriate specialized adjunct human search assistant who then reformulates the first information request into an adapted information request.

Thus, because there is no suggestion in the *Goedken*, *Busey*, *Pickering*, and *Emens* patents, a skilled artisan would not have been motivated to combine these patents in order to perform the method of searching information on the Internet according to claim 1.

Accordingly, reversal of this rejection of claim 1 is respectfully requested on the basis that the *Goedken*, *Busey*, *Pickering*, and *Emens* patents fail to establish a *prima facie* case of obviousness with respect to claim 1, since there is no motivation or suggestion to combine the patents.

c. No reasonable expectation of success

Lastly, even if the *Goedken*, *Busey*, *Pickering*, and *Emens* patents were to be combined there is no reasonable expectation that the proposed combination would successfully describe the method of searching information on the Internet according to claim 1.

As discussed above, none of the *Goedken*, *Busey*, *Pickering*, and *Emens* patents disclose a method for searching information on the Internet including the steps of conducting a dialogue with at least one human search assistant to formulate a first information request, transmitting the first information request over the Internet to the at least one human search assistant, wherein the at least one human search assistant includes one or more head human search assistants having below them a number of specialized adjunct human search assistants, the one or more head human search assistants direct the first information request to the appropriate one of the specialized

adjunct human search assistants who then reformulates the first information request into an adapted information request associated with the first information request.

Therefore, a proposed combination of the *Goedken*, *Busey*, *Pickering*, and *Emens* patents cannot provide a method for searching information on the Internet including the steps of conducting a dialogue with at least one human search assistant to formulate a first information request, transmitting the first information request over the Internet to the at least one human search assistant, wherein the at least one human search assistant includes one or more head human search assistants having below them a number of specialized adjunct human search assistants, the one or more head human search assistants direct the first information request to the appropriate one of the specialized adjunct human search assistants who then reformulates the first information request into an adapted information request associated with the first information request.

Accordingly, reversal of this rejection of claim 1 is respectfully requested on the basis that the *Goedken*, *Busey*, *Pickering*, and *Emens* patents fail to establish a *prima facie* case of obviousness with respect to claim 1, since there is no reasonable expectation to successfully combine the patents.

VIII. Conclusion

For the reasons set forth above, independent claim 1 of the pending application defines subject matter that is not *prima facie* lacking enablement to a skilled artisan within the meaning of 35 U.S.C. § 112, first paragraph.

Further, independent claim 1 of the pending application defines subject matter that is not *prima facie* obvious within the meaning of 35 U.S.C. § 103(a) by the *Goedken*, *Busey*, *Szlam*, and *Emens* patents.

Further still, independent claim 1 of the pending application defines subject matter that is not *prima facie* obvious within the meaning of 35 U.S.C. § 103(a) by the *Goedken*, *Busey*, *Pickering*, and *Emens* patents.

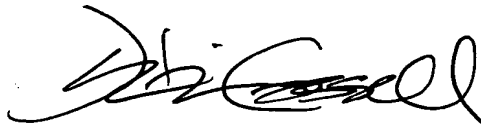
Therefore reversal of the rejections of claim 1 is respectfully requested. Since the remaining claims 2-4, 6-8, 10, and 13-16 depend from claim 1, the reversal of the rejection of these claims is likewise requested.

The Office is authorized to charge any additional fees associated with this communication Deposit Account No. 02-0200.

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IX. CLAIMS APPENDIX

Claim 1 (Currently Amended). A method for searching information on the Internet, comprising the steps of:

providing a computer linked to the Internet;

accessing at least one search assistant via a web browser on the computer linked to the Internet to search for information on the Internet, wherein the at least one search assistant is human and a specialist in searching on the Internet;

conducting a dialogue with the at least one human search assistant over the Internet and in real time to formulate a first information request; and

transmitting the first information request over the Internet to the at least one human search assistant;

wherein the at least one human search assistant includes one or more head human search assistants, the one or more head search assistants having below them a number of specialized adjunct human search assistants who each is specialized in one or more fields;

wherein the one or more head human search assistants direct the first information request to an appropriate one of the specialized adjunct human search assistants who then reformulates the first information request into an adapted information request associated with the first information request;

wherein the at least one human search assistant applies the adapted information request on at least one search robot for accessing information related to the first information request, the adapted information request being placed through an

Internet Service Provider which communicates search results obtained by the at least one search robot to the at least one human search assistant via a web browser, the at least one human search assistant offering a user a selection of the search results in order for the user to make a first information selection based on the first information request displayed via the web browser.

Claim 2. The method of claim 1, wherein the at least one human search assistant assists the user by searching on the Internet and indicates to the user where the information the user is looking for can be found on the World Wide Web or where the user should be looking on the World Wide Web or giving the user information found on the World Wide Web.

Claim 3. The method of claim 1, wherein the at least one human search assistant has such expertise in searching on the Internet that the at least one human search assistant can be considered a web librarian and is able to give more information than the place to look on the World Wide Web and is able to supervise the user in consulting the Internet.

Claim 4. The method of claim 1, wherein the at least one human search assistant makes use of search engines for searching on the Internet.

Claim 5 (Canceled).

Claim 6. The method of claim 1, further comprising the step of using voice recognition via the Internet to carry out the user's communication with the at least one human search assistant.

Claim 7. The method of claim 1, further comprising the step of offering the user a visual representation of the at least one human search assistant.

Claim 8. The method of claim 1, further comprising the step of consulting the at least one human search assistant via a device additional to the computer and selected from the group consisting of: a mobile phone, a palmtop, and an interactive television apparatus and a set-top box associated therewith.

Claim 9 (Canceled).

Claim 10. The method of claim 1, further comprising the step of enabling additional contact of the same search assistant by the user by means of voice recognition, iris recognition or fingerprint recognition.

Claim 11 (Canceled).

Claim 12 (Canceled).

Claim 13 (Currently Amended). The method of claim 1, wherein the at least one human search assistant assists the user when searching for services.

Claim 14. The method of claim 13, wherein said services comprise on-line shopping, price and product comparison.

Claim 15. The method of claim 1, wherein the at least one human search assistant composes programs for the user comprising films, television or radio or music programs which are provided via the Internet.

Claim 16. The method of claim 1, further comprising the step of communicating with the user in the user's own language, with or without simultaneous translation.

X. EVIDENCE APPENDIX

There are no copies of evidence entered and relied upon in this appeal
of the pending application.

XI. RELATED PROCEEDINGS APPENDIX

There are no related proceedings or decisions rendered by a court or the Board of Appeals in any proceeding identified in the related appeals and interferences section in the pending application.